

# CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number \_\_\_\_\_

Meeting Type: Regular

Meeting Date: 6/14/2012

Action Requested By:  
Clerk Treasurer

Agenda Item Type  
Resolution

Subject Matter:

Resolution authorizing the Mayor to enter into an Agreement with Madison County, Alabama for Election Custodial Services for the August 28, 2012 Municipal Election and any Municipal Run-Off Election needed on October 9, 2012.

Exact Wording for the Agenda:

Resolution authorizing the Mayor to enter into and agreement with Madison County, Alabama for Election Custodial Services for the August 28, 2012 Municipal Election and any Run-Off Election needed on October 9, 2012. (Clerk-Treasurer)

**Note: If amendment, please state title and number of the original**

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

This agreement is needed in order for the City of Huntsville to hold and conduct the August 28, 2012 City of Huntsville General Municipal Election and any City of Huntsville Run-Off Election to be held on October 9, 2012.

Associated Cost: \$41,000

Budgeted Item: Yes

MAYOR RECOMMENDS OR CONCURS: Yes

Department Head: Charles E. Hays

Date: 6/5/2012

# ROUTING SLIP CONTRACTS AND AGREEMENTS

Originating Department: Clerk Treasurer

Council Meeting Date: 6/14/2012

Department Contact: Chuck Hagood

Phone # 256-427-5088

Contract or Agreement: Agreement

Document Name: Madison County Election Custodial Service Agreement

City Obligation Amount: \$41,000

Total Project Budget: \$110,000

Uncommitted Account Balance: \$69,000

Account Number: 01-5500-0609-7401

## Procurement Agreements

Not Applicable

Not Applicable

## Grant-Funded Agreements

Not Applicable

Grant Name:

Department	Signature	Date
1) Originating	<i>Charles E. Hagood</i>	6/5/2012
2) Legal	<i>[Signature]</i>	6-6-12
3) Finance	<i>[Signature]</i>	6/6/12
4) Originating	<i>[Signature]</i>	
5) Copy Distribution		
a. Mayor's office (1 copies)	✓	
b. Clerk-Treasurer (Original & 2 copies)	✓	

RESOLUTION NO. 12-\_\_\_\_\_

**BE IT RESOLVED** by the City Council of the City of Huntsville, Alabama, that the Mayor is hereby authorized to enter into an Agreement for Election Custodial Services for the August 28, 2012, Municipal Election and any required run-off by and between the City of Huntsville and Madison County, Alabama, on behalf of the City of Huntsville, a municipal corporation in the State of Alabama, which said agreement is substantially in words and figures similar to that certain document attached hereto and identified as "Agreement between the City of Huntsville and Madison County, Alabama for Election Custodial Services for the August 28, 2012, Municipal Election and any required run-off" consisting of four (4) pages, and date of June 14, 2012, appearing on the margin of the first page, together with the signature of the President or President Pro Tem of the City Council, and an executed copy of said document being permanently kept on file in the Office of the City Clerk-Treasurer of the City of Huntsville, Alabama.

**ADOPTED** this the 14th day of June, 2012,

\_\_\_\_\_  
President of the City Council of  
the City of Huntsville, Alabama

**APPROVED** this the 14th day of June, 2012,

\_\_\_\_\_  
Mayor of the City of Huntsville,  
Alabama

**STATE OF ALABAMA**

**MADISON COUNTY  
AGREEMENT**

**THIS AGREEMENT** is made and entered into as of the 14 day of June, 2012, by and between THE CITY OF HUNTSVILLE, ALABAMA, a municipal corporation (herein referred to as "Huntsville"), and MADISON COUNTY, ALABAMA, a political subdivision in the State of Alabama (hereinafter referred to as "Madison County").

**WHEREAS**, Huntsville will conduct a general election on August 28, 2012, with a run-off, if necessary, on October 9, 2012, to elect the Mayor; Members of the Huntsville City Council from Districts 1 and 5; and Members of the Huntsville Board of Education Board from Districts 1 and 5; and

**WHEREAS**, Huntsville desires to contract with Madison County to provide election custodial services and to use equipment owned by Madison County in order to conduct the election.

**WHEREAS**, Tommy Ragland, Madison County Probate Judge, has been designated by the county as the custodian of the Madison County electronic vote counting machines.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Huntsville, Alabama, that Tommy Ragland is designated

\_\_\_\_\_  
President of the City Council

\_\_\_\_\_  
Date

custodian of the City of Huntsville electronic vote counting machines for the municipal general election to be held on August 28, 2012, and , if necessary, the municipal run-off election to be held on October 9, 2012.

**IN CONSIDERATION** of the above recitals, the mutual promises, covenants, and agreement of the parties contained herein, and the payments to be made hereunder, the parties hereby agree as follows:

1. Madison County shall permit Huntsville to use, without charge, the privacy booths or voting stations and tables and chairs owned by Madison County to conduct the August 28, 2012 Municipal General Election, and, if necessary the October 9, 2012 Municipal Run-Off Election.

2. Huntsville shall be responsible for leasing the election vote counters and the automark machines coding, ordering and paying for all ballots and other election supplies needed to conduct the said election and run-off, if necessary.

3. Madison County shall:

(a) Cause to be delivered to the various polling places prior to the election, and picked up from the various polling places after the election and run-off, if necessary, the electronic ballot counters, automark machines, privacy booths or voting stations, tables, chairs, and supplies.

Madison County shall provide a certified authorized

instructor to insert the proper computer chip in each electronic ballot counter so that the counter will read only ballots with the correct configuration for the precinct to which that electronic ballot counter is to be delivered, and to certify that the electronic ballot counters are in operational order.

(b) Have Tommy Ragland, the custodian of the County and City of Huntsville electronic vote counting machines, assist the City Clerk-Treasurer of the City of Huntsville in the public test of the electronic vote counting machines on August 23, 2012, at 9:00 a.m. for the general municipal election, and October 4, 2012, at 9:00 a.m. for the municipal run-off election, if one is needed.

(c) Have available on election day a person to answer telephone calls regarding problems at the various voting places and shall have available no less than three (3) electronic voting specialists to answer calls for assistance from the various voting places and to deliver needed supplies to the various voting places.

(d) Store the City of Huntsville August 28, 2012, general election record of election boxes and the October 9, 2012, run-off election record of election boxes in a secured area in the basement of the W. T. Grant Building at 115 South Washington Street, Huntsville, Alabama, for a period

of 6 months after the date of the elections.

4. For the services outlined in paragraph 3 above, Huntsville shall pay to Madison County the sum of \$20,500.00 for the election to be held on August 28, 2012, and should a run-off be necessary in the mayors race the sum of \$20,500 for the run-off election to be held on October 9, 2012. Should a run-off not be necessary in the mayors race on October 9, 2012 the sum of \$7,500.00 if only one district has a run-off, and the additional sum of \$2,500.00 per district if a run-off is held in two districts.

SIGNED, EXECUTED and ACCEPTED as of the date first above written.

THE CITY OF HUNTSVILLE, ALABAMA,  
a municipal corporation

By \_\_\_\_\_  
Tommy Battle  
Mayor

ATTEST:

\_\_\_\_\_  
Charles E. Hagood, CMC  
City Clerk-Treasurer

MADISON COUNTY, ALABAMA

By \_\_\_\_\_  
Mike Gillespie, Chairman  
Madison County Commission

ATTEST:

\_\_\_\_\_  
County Administrator